

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/21/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LUNA AURA LLC f/s/o ANGELA ANNE
FLORES p/k/a “LUNA AURA”,

Plaintiff,

-against-

3LAU ENTERTAINMENT, LLC,
BLUME LLC and JUSTIN BLAU,

Defendants.
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22-CV-9598 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on November 9, 2022, Plaintiff, Luna Aura LLC, filed a Complaint against Defendants 3LAU Entertainment, LLC and Blume LLC (collectively, the “LLC Defendants”), and Justin Blau, Compl., Dkt. 1;

WHEREAS Plaintiff alleges that this Court’s subject matter jurisdiction in this matter is premised on diversity, *id.* ¶ 11;

WHEREAS “a limited liability company has the citizenship of its members,” *see Jean-Louis v. Carrington Mortg. Servs., LLC*, 849 F. App’x 296, 298 (2d Cir. 2021);

WHEREAS a complaint premised upon diversity of citizenship must allege the citizenship of natural persons who are members of an LLC and the place of incorporation and principal place of business of any corporate entities that are members of the LLC (including the citizenship of any members of the LLC that are themselves LLCs), *see Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51–52 (2d Cir. 2000); *see also, e.g., In re Bank of Am. Corp. Sec., Derivatives, and ERISA Litig.*, 757 F. Supp. 2d 260, 334 n.17 (S.D.N.Y. 2010);

WHEREAS the Complaint alleges that Plaintiff is an Arizona limited liability company with a principal place of business in Arizona but does not allege the citizenship of any member(s) of the LLC, *see* Compl. ¶ 6;


WHEREAS the Complaint alleges that the LLC Defendants are Nevada limited liability corporations with their domiciles and principal places of business in Nevada, *see id.* ¶¶ 7–8; and

WHEREAS the Complaint alleges that Defendant Justin Blau is the “principal officer” who “solely controls and manages” the LLC Defendants but does not allege that Justin Blau is the sole member of each of the LLC Defendants, nor does it allege the citizenship of any other member of the LLC Defendants, *see id.* ¶¶ 9–10.

IT IS HEREBY ORDERED that by no later than **Monday, November 28, 2022**, Plaintiff must file an amended complaint that cures the deficiencies described herein or the complaint will be dismissed without prejudice for lack of subject matter jurisdiction.

SO ORDERED.

Date: November 21, 2022
New York, New York


VALERIE CAPRONI
United States District Judge